



U.S. Immigration
and Customs
Enforcement

January 26, 2006

News Release

INDIANA MAN CONVICTED OF ILLEGALLY WORKING WITH FORMER IRAQI INTELLIGENCE OFFICERS

INDIANAPOLIS — An Indiana resident was convicted here yesterday for acting as a foreign agent for Iraq, violating sanctions against Iraq, and illegally obtaining U.S. citizenship. This was an FBI-led investigation that was assisted by U.S. Immigration and Customs Enforcement (ICE) and the Transportation Security Administration (TSA).

Susan W. Brooks, U.S. Attorney for the Southern District of Indiana, announced yesterday that Shaaban Hafiz Ahmad Ali Shaaban, aka Shaaban Hafeed and Joe H. Brown, 53, who formerly resided in Greenfield, Ind., was convicted of six counts, including: Conspiracy, Acting as a Foreign Agent without Notification, one violation of the Iraqi Sanctions under the International Emergency Economic Powers Act (IEEPA), Unlawful Procurement of an Identification Document and Unlawful Procurement of Naturalization.

The jury hung on one IEEPA count. The conviction follows a 2½ week trial that began Jan. 9 before U.S. District Judge John Daniel Tinder.

U.S. Attorney Susan W. Brooks stated, “We applaud the hard, fine work of the jury. This was a very complex case, and the jury saw evidence and heard testimony from witnesses unlike evidence in any other trial that’s ever been held before in the Southern District of Indiana. There were difficult legal concepts to grasp, and we are so pleased with the outcome of this trial. We thank the jury for devoting their time to this case and their careful consideration of the evidence during deliberations.”

“It is our hope that this trial sends the message that even here in the Heartland of America, there are some individuals who have blended into our cities, small towns, and neighborhoods, who seek to harm the United States and threaten our national security. When the FBI and other federal law enforcement agencies receive allegations that these types of individuals are in our midst, it is their duty and responsibility to investigate the allegations. It is also incumbent upon the federal law enforcement community to use all tools available, including those provided in the USA PATRIOT ACT. Some of those tools were used in this case: the tearing down of the wall between intelligence personnel and criminal investigators, and the use of delayed-notice search warrants. National Security Letters were also used in this case. These tools were used by the FBI to protect our country. We are proud of the FBI’s efforts in this case. We also thank U.S. Immigration and Customs Enforcement and the Transportation Security Administration for assisting the FBI and our office in this case,” added Brooks.

FBI Special Agent in Charge Keith Lourdeau stated, “The charges of Conspiring with and Acting with Foreign Agents and the Iraqi Sanctions violations involve serious violations of federal law. Our national security is constantly threatened by foreign intelligence services and their assets who wish to enhance their strategic position against the United States by using persons in the United States to their advantage. Had Shaaban been an actual Iraqi Intelligence Officer or in actual possession of intelligence information, he would have been charged with espionage, in addition to the charges for which he has been convicted. The FBI will aggressively pursue those individuals who seek to provide sensitive information to hostile governments.”

“Shaaban is charged with creating two separate identities for himself in this country, and was able to obtain U.S. citizenship through illegal means, which poses a serious threat to our nation’s security,” said Daniel T. Dill, resident agent-in-charge for the Indianapolis ICE office. “ICE is committed to restoring integrity to our nation’s immigration system.”

Federal law requires individuals — other than diplomats, consular officers, and attaches — who agree to act as an agent of a foreign government, to register with the Attorney General. Shaaban never registered as an agent of Iraq, yet in 2002 and 2003 when he lived in Indianapolis and Greenfield, Shaaban agreed to act as an agent for Iraq. As an unregistered agent for the Saddam Hussein regime, Shaaban committed the following acts:

- Traveled to Baghdad in late 2002 where he offered to sell names of U.S. intelligence agents and operatives to Iraq for \$3 million.
- Sought to gain Iraqi support to establish an Arabic television station in the U.S. that would broadcast news and discussions that would be pro-Iraqi.
- Sought to enter into a “Cooperation Agreement” where he would be paid a fee by Iraq to organize volunteers to act as human shields to protect Iraqi infrastructure during the war.
- Broadcast messages of support for the Iraqi government on Iraqi media stations that advocated support for Iraq and encouraged others to forcibly resist the U.S. and others who opposed Iraq.

The travel to Iraq was also a part of the violation of the Foreign Agent Notification Act, as well as a violation of International Emergency Economic Powers Act (IEEPA) in effect at the time. In 1990, before Iraq invaded Kuwait, then-President George H.W. Bush declared a national emergency with respect to Iraq and, under IEEPA and the Iraqi Sanctions Regulations, banned travel and any transactions with Iraq unless authorized by the Treasury Department's Office of Foreign Asset Control. These sanctions were continually in place until May 2003 when certain sanctions were lifted, and it was not until July 2004 that the President declared the national emergency with Iraq was over.

The two IEEPA convictions establish that in late fall 2002, Shaaban violated that criminal statute, when he, without authorization, traveled to Iraq and attempted to provide services to Iraq by selling names of U. S. intelligence operatives. While in Iraq, Shaaban met with members of the IIS, or Iraqi Intelligence Service. The IIS, known in Arabic as the *Da'irat al-Mukhabbarat al-'Amma*, or the *Mukhabbarat*, was the foreign intelligence arm of Iraq. The missions of the IIS included foreign intelligence collection (the gathering of information regarding the intentions of foreign governments), counterintelligence (the detecting of efforts by foreign governments to gather intelligence about the Iraq), and the collection of information regarding individuals and groups considered hostile to Iraq.

Shaaban is scheduled to be sentenced April 13.

ICE

U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.